

McCaskill	Peters	Tester
Menendez	Reed	Udall
Merkley	Reid	Warner
Mikulski	Schatz	Warren
Murphy	Schumer	Whitehouse
Murray	Shaheen	Wyden
Nelson	Stabenow	

NOT VOTING—1

Sanders

The bill (H.R. 3762), as amended, was passed.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that a 60-affirmative vote be required for adoption of the conference report to accompany H.R. 22.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, for the information of all of our colleagues, there will be only two votes in relation to the highway bill, and those will be the last votes of the week.

SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015—CONFERENCE REPORT

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 22, which will be stated by title.

The senior assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 22), to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of December 1, 2015.)

The PRESIDING OFFICER. There are 30 minutes of debate equally divided.

Who yields time?

Mr. VITTER. Mr. President, I wish to clarify today a provision included in the FAST Act conference report.

In order to build and restore the Nation's highway infrastructure without breaking the bank to do so, we are going to need the best and latest in cost-saving construction technologies to help us attain that goal.

I supported a provision in the Senate bill that would do just that with regard to construction for key highway components, such as bridge abutments, erosion control on highway waterways, and sound walls. My language specifically identified "innovative segmental wall technology for soil bank stabiliza-

tion and roadway sound attenuation, and articulated technology for hydraulic shear-resistant erosion control" as technologies for research and deployment action by the Federal Highway Administration, FHWA.

A core value shared by all three technologies is that they can save taxpayer dollars. And we should certainly encourage FHWA to engage in research and deployment on them.

For example, one of the practical and expensive problems with highway construction is moving and dispensing with excavated dirt. Segmental retaining wall, or SRW, technology can reduce transportation construction costs to the taxpayers by allowing the use of in situ soils in building segmental retaining walls rather than treating the excavated dirt as waste and hauling it away. Using the native soils for bank reinforcement can save the hauling costs and time for dirt removal, also reducing construction time. Similar segmental unit technology can be used to provide additional choices that are also aesthetically appealing for transportation designers to consider for sound attenuation.

And articulated segmented unit technology for erosion control, known as ACB for the concrete blocks usually used for this purpose linked together in a durable matrix, is especially durable and resistant to overtopping in high-water events. Overtopping is a major problem in high-water events that can degrade or ruin the existing erosion control measures. Rebuilding and replacing is always a huge cost that we should seek to avoid.

While the conference report does not retain my provision, we still have options to save the taxpayers money. I would like to point out that provisions appear elsewhere in the conference report that can give FHWA essentially the same mission, albeit articulated in a different way.

Section 1428 of the conference report states that "the Secretary shall encourage the use of durable, resilient and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in carrying out the activities of the Federal Highway Administration."

Section 1428 might be an alternate means of articulating the same concepts I supported with regard to the innovative segmental wall, or SRW, technology. SRW walls use concrete block facing materials that are obviously highly durable, resilient, and sustainable. These facing units are anchored into the soils using geosynthetic ties that are also highly tough and durable and described in Section 1428.

In passing the conference report, I would like to clarify for FHWA staff to consider SRW technology, using the durable, resilient, sustainable materials anchored with geosynthetics as one of the technologies envisioned in Section 1428. ACBs and segmental block sound walls also fit the defini-

tion of durable, resilient, and sustainable materials and techniques set forth in this section and should enjoy a similar favorable view under the umbrella of Section 1428.

Mr. CARDIN. Mr. President, I rise today to speak about the highway trust fund, HTF, and the conference report we will be considering shortly to accompany the surface transportation reauthorization bill, which is called the Fixing America's Surface Transportation Act, FAST Act.

First, I am pleased to see that this bill provides 5 years of funding for our Nation's transportation infrastructure. That is the kind of long-range certainty our State and local officials and the private sector need to plan transportation infrastructure projects in a thoughtful and responsible way.

While there are many excellent provisions in the bill, I do have significant concerns about the way our Nation's surface transportation infrastructure is being funded.

First, I will speak about the policy within the bill. I am pleased that the conference committee has retained this Nation's commitment to transportation alternatives. This bill includes more than \$4 billion for bike and pedestrian infrastructure, making our roads safer for everyone who uses them. My bill creating a dedicated program for nonmotorized safety is also included in the reauthorization, which will support things like bike safety training programs for both bicyclists and drivers, again making our streets safer for all who use them.

Furthermore, the section 5340 bus program has been kept intact. This program is for high-density areas like Baltimore and Washington, DC, which cannot simply widen a road to accommodate extra travelers. The FAST Act provides more than \$2.7 billion to high-density areas. This is significant for Maryland in particular. Over the life of this bill, Maryland should receive more than \$4.4 billion in Federal Highway Administration, FHWA, and Federal Transit Administration, FTA, funding combined. That is an extraordinary amount of funding for a State that sorely needs it.

I am concerned, however, that the FAST Act undermines the public input, environmental analysis, and judicial review guaranteed under the National Environmental Policy Act, NEPA. If Congress wants Federal agencies to approve more permits faster, then we should appropriate the requisite funds for sufficient staff and other necessary resources. We should not undermine the integrity of important project reviews. Moreover, the argument that the permitting process takes too long is a red herring. More than 95 percent of all FHWA-approved projects involve no significant impacts and therefore have limited NEPA requirements. If we really want to speed project development, we should recognize the known causes of delay and not use this bill as a Trojan horse to dismantle our Nation's foundational environmental